[MR. Tariatu Kunjitomman.]

RESOLUTION *re* ARMS RULES.

PRESIDENT. The next resolution stands in the name of Mr. Kunjitomman and it runs as follows:

"That this Council recommends to the Government that persons living in mountainous places where men, cattle and crop are often subject to destruction by wild animals, persons who pay a tax of above Rs. 100, and the past and present members of the Municipal Councils, the Sri Mulam Popular Assembly and the Legislative Council be allowed to possess and use fire-arms free of license, the first-mentioned in the localities they live in, and the rest throughout the State".

MR. TARIATU KUNJITOMMAN: "ഏതാനുപായില്‍ കൂടുതല്‍കരം തീരുവയുള്ളവക്കും മുന്‍സിപ്പാലിറ്റി, പ്രജാസഭ, നിയമസഭ ഇവയിലെ മെമ്പറന്മാക്കും, മെമ്പറന്മാരായിരുന്നിട്ടുള്ളവക്കും, രാജ്യത്തിന്റെ എല്ലാഭാഗങ്ങളിലും, കാട്ടുജന്തുക്കളില്‍ നിന്നും മനുഷ്യക്കും കന്നുകാലികള്‍ക്കും വിളവിനും നാശംസംഭവിക്കാവുള്ള മലയോരങ്ങളില്‍ താമസിക്കുന്നവക്കു പ്രസ്തുത പ്രദേശങ്ങളിലും, ലൈസന്‍സുകൂടാതെ വെടിആയുധങ്ങള്‍ കൈവശം വയ്ക്കുന്നതിനും ഉപയോഗിക്കുന്നതിനും അനുവദിക്കണമെന്ന് ഈ യോഗം ഗവര്‍ണ്മെന്റിനോടു ശുപാര്‍ശചെയ്യുന്നു."

ഇതാണ് എന്റെ പ്രമേയം. ഇത് ഇവിടെകൊണ്ടുവരുന്നതു പ്രധാനമായി മലയോരങ്ങളിലെ കൃഷിക്കാരുടെ രക്ഷയേയും രാജ്യത്തിന്റെ ശ്രേയസ്സിനേയും ഉദ്ദേശിച്ചുമാത്രമാണ്. സാഹ്യപര്‍വ്വത പംക്തികളുടെ അടിവാരത്തുകിടക്കുന്ന ഈ രാജ്യത്തെ പ്രധാനതൊഴിലും മുതലെടുപ്പും കൃഷിയെ ആശ്രയിച്ചാണല്ലോ ഇരിക്കുന്നത്. കൃഷിനിലങ്ങളില്‍ ഒരു വലിയ പങ്കു കാട്ടുജന്തുക്കളും നിവസിക്കുന്ന റിസര്‍വ്വവനങ്ങളുടെ ഉള്ളിലും സമീപപ്രദേശങ്ങളിലുമാണ്. ഈ പ്രദേശങ്ങളിലെ കൃഷിക്കാര്‍ക്കു തങ്ങളുടെ കന്നുകാലികള്‍ക്കും വിളവിനുംമാത്രമല്ല ജീവനുപോലും കാട്ടുജന്തുക്കളില്‍ നിന്നു നഷ്ടം നേരിട്ടുകൊണ്ടിരിക്കുന്നു. ഇപ്പോഴത്തെ പുതിയചട്ടം വരുന്നതിനുമുമ്പ് ഈ സ്ഥലങ്ങളില്‍ ലൈസന്‍സുകൂടാതെ തോക്കുകള്‍ വച്ചുസൂക്ഷിക്കുന്നതിനും ഉപയോഗിക്കുന്നതിനും സ്വാതന്ത്ര്യം ഉണ്ടായിരുന്നു. ഇപ്പോള്‍ ഈ സ്വാതന്ത്ര്യം നിമിത്തമാല്‍ എടുത്തുകളഞ്ഞതുകൊണ്ടു വെടി ആയുധങ്ങള്‍ക്കു ലൈസന്‍സു വാങ്ങുന്നതിനായി അപേക്ഷകള്‍ കൊടുത്തുകൊണ്ട് അതുകള്‍ പോലീസുസ്റ്റേഷനുകളില്‍ ഡിപ്പോസിറ്റു ചെയ്തിരിക്കയാണ്. കഴിഞ്ഞകന്നിയിലേയും മകരത്തിലേയും വിളവുകള്‍ സൂക്ഷിക്കുന്നതിനു വെടി ആയുധങ്ങള്‍ കൈവശം ഇല്ലാതിരുന്നതുകൊണ്ടു കൃഷിക്കാര്‍ക്കു വളരെ നഷ്ടങ്ങള്‍ സംഭവിച്ചു. വളരെ മാസങ്ങള്‍ കഴിഞ്ഞിട്ടും ഇപ്പോഴും സാധുക്കളായ കൃഷിക്കാരുടെ വെടിആയുധങ്ങള്‍ പോലീ

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സ്റ്റേഷനുകളിൽ ഇരുന്നു തുരുമ്പുപിടിക്കുകതന്നെയാണു. എന്റെ സ്വദേശമായ കോതമംഗലത്തെ പോലീസ്സ്റ്റേഷണിൽതന്നെ നൂറോളം വെടി ആയുധങ്ങൾ ഉണ്ടെന്നാണു കേൾക്കുന്നതു. മുവാറ്റുപുഴ, തൊടുപുഴ, കുന്നത്തുനാട് എന്നീതാലൂക്കുകളിലെ പോലീസുസ്റ്റേഷനുകളിൽ ജനങ്ങളുടെവക എത്ര വെടിആയുധങ്ങൾ ഇരിപ്പുണ്ടെന്നുള്ള എന്റെചോദ്യത്തിനു മറുപടി കിട്ടീട്ടില്ലാത്തതിനാൽ വ്യക്തമായകുണക്കുപറയുവാൻ നിവൃത്തിയില്ലാതിരിക്കുന്നു. പലമാസങ്ങൾ കാത്തിരിക്കുകയും വളരെ കഷ്ടനഷ്ടങ്ങൾ സഹിക്കുകയും ചെയ്തിട്ടും നന്നാകുമെന്നു പേക്കുമാത്രമേ വെടിആയുധങ്ങൾക്കു ലൈസൻസു കിട്ടീട്ടുള്ളൂ. മുറപ്രകാരം ലൈസൻസു വാങ്ങി യഥാകാലം വെടിആയുധങ്ങൾ ഉപയോഗിക്കണമെന്നുള്ളതു മലയോരത്തെ കൃഷിക്കാരെ സംബന്ധിച്ചിടത്തോളം സാധ്യമല്ലെന്നും ലൈസൻസുവാങ്ങണമെന്നുള്ള വ്യവസ്ഥയിൽ നിന്നും അവരെ ഒഴിക്കാത്തപക്ഷം കൃഷിയുടേയും അതിനാൽ രാജ്യത്തിന്റേയും അഭിവൃദ്ധിക്ക് അതു ബാധകമായി തീരുമെന്നും പൂർണ്ണമായി വെളിപ്പെട്ടുകഴിഞ്ഞിരിക്കുന്നു. ഗവർൺമെൻറിന്റേയും പൊതുജനങ്ങളുടെയും വിശ്വാസത്തിനു പാത്രീഭവിച്ചിട്ടുള്ളവരും പ്രതിഫലമൊന്നും കൂടാതെ രാജ്യക്ഷേമത്തിനായി പ്രവർത്തിച്ചുകൊണ്ടിരിക്കുന്നവരും ആയ നഗരസഭ, പ്രജാസഭ, നിയമസഭ ഇതുകളിലെ മെമ്പറന്മാരായ ജനപ്രതിനിധികൾക്കു തങ്ങളുടെ കൈവശം വെടി ആയുധങ്ങൾ ലൈസൻസ് കൂടാതെ വച്ചുസൂക്ഷിക്കയോ ഉപയോഗിക്കയോ ചെയ്യാൻ പാടില്ലെന്ന നിയമത്താൽ വരുത്തിയിരിക്കുന്നതു ജനങ്ങൾക്കു പൊതുവിലും ജനപ്രതിനിധികൾക്കു പ്രത്യേകവും അഭിമാനകരമായ അവസ്ഥയല്ല. അഞ്ഞൂറുരൂപാ നികുതിയുള്ളവർക്ക് ഇപ്പോഴത്തെ നിയമപ്രകാരം ലൈസൻസുവേണ്ടെന്നു വെച്ചിരിക്കുന്നത്. അവർക്കു മറ്റുള്ളവർ അപേക്ഷിച്ചു ലൈസൻസ് ഫീസു കാട്ടുവാൻ ശക്തിയില്ലാത്തതുകൊണ്ടാണെന്നു വിചാരിക്കുവാൻ മാർഗ്ഗമില്ലല്ലോ. പിന്നെ എന്തുകൊണ്ടാണ് ഇവർക്കു ലൈസൻസു വേണ്ടെന്നുവെച്ചിട്ടുള്ളതെന്നാലോചിക്കുമ്പോൾ മറ്റുള്ളവരെക്കാൾ ഇവരെ ഗവർൺമെൻറിനു കൂടുതൽ വിശ്വാസമുള്ളതുകൊണ്ടാണെന്നു ഊഹിപ്പാനേ മാർഗ്ഗംകാണുന്നുള്ളൂ. എന്നാൽ ജനപ്രതിനിധികൾ ഇവരെപ്പോലെയെങ്കിലും ഗവർൺമെൻറിന്റെ വിശ്വാസത്തിന് അർഹന്മാരാണെന്നു സമ്മതിക്കാതെനിവൃത്തിയില്ല. അതിനാൽ, മുൻപുണ്ടായിരുന്നതുപോലെ നൂറുരൂപായിൽ കൂടുതൽ കരം തീരുവയുള്ളവർക്കും, നഗരസഭ, പ്രജാസഭ, നിയമസഭ ഇവയിലെ മെമ്പറന്മാർക്കും മെമ്പറന്മാരായിരുന്നിട്ടുള്ളവർക്കും രാജ്യത്തിന്റെ എല്ലാഭാഗങ്ങളിലും, കാട്ടുജന്തുക്കളിൽനിന്നും മനുഷ്യർക്കും കന്നുകാലികൾക്കും

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[MR. T. Kumara Pillai.]

ക്കും വിളവിനും നാശം സംഭവിക്കാവുള്ള മലയോരങ്ങളിൽ താമസിക്കുന്നവർക്കു പ്രസ്തുത പ്രദേശങ്ങളിലും ലൈസൻസുകൂടാതെ വെടി ആയുധങ്ങളും കൈവശം വയ്ക്കുന്നതിനും ഉപയോഗിക്കുന്നതിനും അനുവദിക്കണമെന്നുള്ള എന്റെ പ്രമേയത്തെ നിങ്ങൾ ഏവരും അനുകൂലിക്കുമെന്നുള്ള വിശ്വാസത്തോടെ ഈ യോഗത്തിൽ സമർപ്പിച്ചുകൊള്ളുന്നു.

MR. T. KUMARA PILLAI: ഞാൻ ഈ പ്രമേയത്തെ അനുകൂലിക്കുന്നു. എന്നാൽ ആ പ്രമേയത്തിൽ, മലംപ്രദേശങ്ങളിൽ താമസിക്കുന്ന ആളുകൾക്കും, പ്രജാസഭ, നിയമസഭ, പട്ടണപരിഷ്കരണസഭ, ഇവയിലെ മെംബറന്മാർക്കും ഈ അനുവാദംകൊടുക്കണം എന്നാണു് അദ്ദേഹം പറയുന്നത്. അവർക്ക് ആർക്കും കൊടുത്തില്ലെങ്കിലും മലയോരവാസികൾക്കു കൊടുത്താൽ അതു വലിയ രക്ഷയായിവരും. മെംബറന്മാർക്ക് ഏതെങ്കിലും നിലയിൽ ലൈസൻസ് വാങ്ങിക്കാൻ സാധിക്കും. എന്നാൽ മലയോരങ്ങളിൽ ഉള്ളവർക്ക് ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ട് ആരാണെന്നോ അങ്ങനെ ഒരാൾ ഉണ്ടെന്നോ അറിഞ്ഞുകൂടാ. അത് അറിയുന്നതിനുള്ള വിദ്യാഭ്യാസം അവർക്കില്ല. ലൈസൻസ് വാങ്ങിക്കാൻ പോകണമെങ്കിൽ അതിനും ദിവസം അവർക്കു മെനക്കേടാണ്. അവരാണു പട്ടണങ്ങളിൽ ഇരിക്കുന്നവർക്ക് ആഹാരസാധനം ഉണ്ടാക്കികൊടുക്കുക. എന്റെ സമീപസ്ഥലത്തു കുന്നുകാവികളെ വളർത്തുന്ന ഒരുവന്റെ മുപ്പതു മാടുകളെ കടുവാ അടിച്ചിട്ടുണ്ട്. കുലശേഖരത്തുനിന്നു പേച്ചിപ്പാറയ്ക്കു പോകുന്നവഴിയിൽ രണ്ടു മൈലോളം പോയാൽ ഒരു ഏലായുണ്ട്. അവിടെ ഒരുദിവസം രാത്രി ഒരുത്തൻ മാടത്തിൽ കിടക്കയായിരുന്നു. അതിന്റെ അടിയിൽ ഒരു ശബ്ദം കേട്ടു വെളുപ്പാൻകാലത്തുനാലു മണിക്കുനോക്കിയപ്പോൾ അതിന്റെ അടിയിൽ ഒരു പുലി കിടക്കുന്നതുകണ്ടു. വെടിവയ്ക്കാൻ ആയുധം ഇല്ല. ഒടുവിൽ അവൻ അവിടെകിടന്നു നിലവിളിക്കയും പുലിപോകയുംചെയ്തു. ഈ മാതിരി പല സംഭവങ്ങളും ഉണ്ടാകുന്നുണ്ട്. അതുകൊണ്ട് ഈ മെംബറന്മാർക്കു കൊടുത്തില്ലെങ്കിലും വിരോധം ഇല്ല. അവർക്കു ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ടിനോടു ചോദിച്ചാൽ കിട്ടും. കൃഷിക്കാർക്കു ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ടിനെ അറിവാൻപാടില്ല. അതിനാൽ അവരുടെ രക്ഷയെ വിചാരിച്ചു മലംപ്രദേശങ്ങളിലുള്ള ആളുകൾക്കെങ്കിലും സ്വാതന്ത്ര്യമായി തോക്കുപയോഗിക്കാമെന്ന് ഒരു നിയമം ഏർപ്പെടുത്തണം. അല്ലെങ്കിൽ അത് വലിയ കഷ്ടമായിവരും എന്നുള്ളതുകൊണ്ടു ഞാൻ ആ പ്രമേയത്തെ പൂർണ്ണമായിട്ട് അനുകൂലിക്കുന്നു.

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MR. T. K. VELU PILLAI: Sir, I beg to associate myself with all the sentiments expressed by Messrs. Kunjitomman and Kumara Pillai on this very important resolution. Those of us who live in cities and who have all the advantages of civilised municipal adminstration are not likely to recognise the difficulties to which a great many of our sisters and brothers who inhabit the hills are liable. I am not here concerned with the policy that underlies the Arms Regulation. It may be part of the administrative or legislative policy of Government. However we may disagree with that, this is no place to re-open that question. I think that, even under the restricted sphere created by the Arms Regulation in Travancore, considerable good *can* be done to the suffering people of this land. The agriculturist in the mountainous parts who goes to a distant shop to buy a little rice or salt often encounters on his return the wild elephant—a kind of solitary sentry in those sylvan regions—or the treacherous tiger. There is the deadly cobra. There is the monotonous python and there is the obstinate hamadryad. I might say that every person in a mountainous country lives, so to say, between life and death all his life. Life to him is to be understood in quite a different sense from what it is to us in towns. I think that humanity requires that this class of people should be helped in all possible ways. I can assure the Council that these people will never use fire-arms against one another. They will only use them occasionally when their crops are destroyed or when they are molested by herds of wild cattle, by leopards and tigers. I really fail to appreciate the difficulties that stand in the way of Government in giving them the right of carrying fire-arms. They do not want the long-span rifle or the wide-bore rifle. They want only the facility for self-protection. The reasons that weighed with Government in this matter do not exist at present. At one time, the policy of this Government was different. I will read a portion from the State Manual. It will be very interesting in this connection.

"In September 1832 Lieut-Colonel E. Cadogan, Acting Resident wrote thus :—

"The recall of the subsidiary force in December 1830 affords the best proof that the maintenance of a considerable body of troops in Travancore was no longer deemed a measure of expediency, and without entering minutely into a subject that has already been under the consideration of Government, I trust I shall be able to show in a few words that the force might have been withdrawn at a much earlier period with perfect safety to both Sirkars.

Immediately after the war of 1809, the State of Travancore was deprived of its arms, ordnance and military stores, and the inhabitants so completely disarmed as to be, from a military point of view, utterly annihilated. No man has since been permitted to hold fire-arms of any description that are not stamped, registered and accompanied by a certificate or permit from the Dewan ; and as this regulation prevents the importation of arms to any extent, it affords the best security against serious internal disturbance or resumption of designs hostile to the British authority. Moreover, the habits and character of these people have undergone a complete change within the last twenty years. That warlike, refractory and turbulent temper for which the Nairs of Travancore were once so remarkable has totally disappeared, and they must now be regarded as a population of pacific habits placing the most implicit confidence in our protection and well convinced that their safety entirely depends on the stability, support and friendship of the British Government."

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[Mr. T. K. Velu Pillai.]

Although the expression 'Nairs' is used there, it applies to all the communities in the land. Probably because the Nairs formed the majority of the fighting population at that time, that particular community might have been referred to. But all the communities stand on the same footing in this matter. I think I can assure the Council that there is nobody in this country who does not look to the protection of Government as an essential matter. It will also be interesting to remember that, when our soldiers went to fight the battles of the Empire in Europe and other places, even such high-placed men as Mr. Winston Churchill gave very high tributes to their loyalty, so that, if the people of Travancore will have to fight against any nation in future, it will be the enemies of the British nation. Therefore, it behoves us to consider the extreme importance and necessity of making them once more masculine. The conditions of the agriculturists have been depicted by the previous speakers. I do not therefore mean to adduce any further arguments in regard to that question.

Regarding the other classes of people, members of the Municipal Councils, the Assembly and the Legislative Council, I must say that, although they once enjoyed this right, that has been unnecessarily, most rigorously and without justification, curtailed. I went through the schedule of exempted persons and I find that the High Court Judges are allowed to carry arms. I must say that I cannot adequately describe the feeling of a High Court Judge when he sees a rifle, particularly when he is asked to use one. There is no Judge in our High Court who knows how to use a rifle. I do not see therefore why so much of ink and paper should be wasted in making this exception.

MR. G. PARAMESVARAN PILLAI: There is Mr. Chatfield.

MR. T. K. VELU PILLAI: It is a personal matter. Therefore I do not propose to say anything about it.

It is interesting to find that the Chief Secretary to Government has not been exempted. On the other hand, members of certain families have been exempted. If a schoolmaster or a copyist in a sub-registrar's office happens to be a member of such a family, he will have the privilege of using a gun, whereas the Director of Public Instruction or the Director of Registration will not have it. That is an anomaly.

It may be said that those who want to use arms may apply for and obtain licenses. As pointed out by Mr. Kumara Pillai, the idea of these licenses is not understood by the vast majority of the people who live in mountainous areas. Moreover, if you insist upon their taking licenses, that means that you are extending the jurisdiction of the police constable of the place who will pay a weekly visit to the man who happens to be a licensee so that some roots or plantains may be obtained from him. I am very sorry to say this. I certainly do not

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want to say that the whole police force is like this. Human nature being what it is, the low-paid constable getting eight or nine rupees per month will certainly not be above-board when he occasionally visits that place. Further, as Mr. Kumara Pillai said, in order to get a license a poor man will have to go to the District Magistrate's office any number of times, because our people, especially backward people, have not yet learnt to respect themselves as subjects of His Highness the Maha Raja. They think that, because a person holds a high office, they ought to stand at least a furlong away as a mark of respect. The man would send his whispers through some peons who would not always carry his message. There is of course the rule that the licenses may be granted to *bona fide* cultivators. That is not enough. Unless we go to their rescue and give them the necessary help to preserve their lives and the lives of their wives and children and to protect their crops, I think we shall not be discharging our duty faithfully to ourselves and to those subjects of His Highness the Maha Raja. I therefore strongly support the resolution.

MR. S. SUBRAHMANYA KARAYALAR: I am not very much concerned with the use of fire-arms free of license by persons paying a tax of Rs. 100 and the past and present members of the Municipal Councils, the Sri Mulam Popular Assembly and the Legislative Council. What I object to is the vague manner in which the first portion of the resolution is worded, *viz.*, 'persons living in mountainous places'. It is not advisable to give permission to all persons living in mountainous places to use arms free of license. If it is granted, then there will be innumerable persons using fire-arms without license. For example, if, in Puliyara, all persons are allowed to use fire-arms free, it would be very dangerous. So, persons who have holdings in mountainous places may be allowed to use fire-arms free of license.

MR. T. K. VELU PILLAI: Are there many people who have holdings there?

MR. S. SUBRAHMANYA KARAYALAR: Yes, there are many.

PRESIDENT: Are you proposing an amendment?

MR. S. SUBRAHMANYA KARAYALAR: Yes, I would have it altered as "agriculturists who have holdings in mountainous places".

MR. P. K. NARAYANA PILLAI: Cannot there arise a necessity for those persons who reside near the mountains to protect themselves against the attacks of wild animals?

MR. S. SUBRAHMANYA KARAYALAR: Agricultural people who possess fire-arms will help others against the attack of wild beasts.

PRESIDENT: Are you moving it as an amendment or are you giving it out as a suggestion?

MR. K. P. RAMAN PILLAI: I object to it for want of notice.

PRESIDENT: Then you cannot move that as an amendment.

MR. A. GOVINDA MENON: I myself brought forward a resolution of this kind; but I cannot move it as I have been forestalled by Mr. Kunjitomman. I would therefore most heartily support the resolution.

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[Mr. K. Dominic Tomman.]

In supporting it, I may say that I base my contention not only upon the reasons already advanced before the House by previous speakers, but also upon the ground that it is an unchangeable right for the people of a country to possess arms, especially in this country which is ruled by so gracious a Sovereign as our beloved Maha Raja. Whatever may be the reason that has guided the British and other nations in restricting the possession of arms, we in this country cannot pretend to have any valid reason to show that the people here cannot be trusted with arms. The British Government may do anything which they may think reasonable for their safety to restrict the possession of arms by the people, for the rulers there belong to an alien race and form but a very small, almost insignificant, minority compared with the ruled. Here the case is quite different, for the Ruler and the ruled are of one race; and hence the British Government have no right to interfere in any way with our long-established right to the possession of arms.

MR. K. DOMINIC TOMMAN: The working of the Arms Regulation causes the greatest hardship to those who live in the mountainous regions of the State. The sole occupation of the people of these parts is agriculture. Under the former law, mountainous regions were exempted from the operation of the regulation. The chief cultivation in mountainous regions is paddy and tapioca. These crops are now destroyed by wild animals with immunity. The cultivators are simply helpless to protect these crops from wild beasts without the use of fire-arms. Fire-arms are also necessary in these parts for the protection of men and cattle.

It is true that there is a provision in the present regulation to give free licenses to landholders for the protection of crops and cattle. But the unsympathetic way in which it is worked makes that provision quite useless. I know of several applications made in Chingam, 1098, to the Commissioner of Devicolam by landholders in the Peruvantanam *pakuthi* for licenses to possess fire-arms for the protection of crops and cattle. Enquiries were made to the Tahsildar, to the Police and to the Forest authorities, one after another, to know whether the applicant was a *bona fide* cultivator and whether there was any objection to the granting of the license. Anyhow, no license has been issued as yet and nothing is heard of the application although eight months of the year have already passed. In the meantime, paddy and tapioca crops have been freely destroyed by wild beasts. As far as I know, this is the case in other Divisions also.

When enquiries concerning a license are made to the subordinate officers of other departments by the District Magistrate, it is also usual for the subordinate officer to put in some obstruction in the way of the applicant unless such officer is propitiated by the latter. Consequently, it simply opens up another channel for oppression. Moreover, when a subordinate officer makes a report against an application for a license, the applicant has no means of knowing the grounds on which the issue

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of license is objected to by the subordinate officer. All these tend to make the beneficent provision in the regulation beyond the reach of the ordinary landholder. I therefore strongly support the motion.

As to the members of the Legislative Council, the Sri Mulam Popular Assembly and the Municipal Councils, there is nothing to show that these members ever abused the privilege which they once enjoyed. So, I am in favour of this portion of the resolution also.

REV. FR. KURIAKOSE VETTIKKAPALLI: Sir, I shall be certainly failing in my duty towards my constituents if I do not support this resolution. The Government, I believe, are fully aware of the great hardships the operation of the present Arms Regulation is working on the poor agriculturists in the hilly districts. A fire-arm is an indispensable companion of an agriculturist in those parts, surrounded as he is by all kinds of wild animals. The present regulation has deprived him of his only protection and has freely allowed wild animals to play havoc in his holdings. It was in recognition of these difficulties that these districts were exempted before. The concession was never abused; and I do not see why the privilege was taken away. So I support the resolution.

MR. W. H. PITT: Sir, I oppose the resolution. From what the previous speakers have said, I understand that the withdrawal of exemptions is considered to indicate a want of confidence in those persons who were hitherto exempted. The only community affected as a whole by the withdrawal is my own; and for my part, I do not consider that the withdrawal shows that Government have lost confidence in us, nor have I ever heard it suggested that that is the case. The refusal of a license would no doubt indicate distrust. Government do not, however, wish to reduce the number of arms in Travancore and they have withdrawn the exemptions, as far as possible, simply in order to put all subjects of His Highness the Maha Raja on the same footing and to abolish race and class distinctions.

I should like to refer to current non-official opinion in British India on this subject. In February, 1922, a resolution was carried in the Legislative Assembly to the effect that a committee with a non-official majority should be appointed to examine the Indian Arms Rules, 1920, and to submit a report. This is the opinion of the committee with regard to exemptions:

"We propose to deal first with the question of the retention, extension, or contraction of the list of exemptions. Their total abolition has been advocated generally as a counsel of perfection, and the majority of the Committee would prefer this course if it were practicable. Local Governments, however, are of opinion that at this stage the entire abolition of exemptions would create grave dissatisfaction amongst the classes hitherto exempted and would be unwise and inexpedient. With this conclusion the majority of the Committee are in agreement. A large number of non-official Indians both in their oral evidence and in their written memoranda maintain that the schedule of exemptions should be enlarged. After careful consideration of the views put before us and after examining in detail the entries in Schedule I, we are of opinion that the existing list of exemptions contained in that schedule is imperfect in some respects and we make the following recommendations regarding it.

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[Mr. W. H. Pitt.]

Under entry 1 (a) we would include Ministers and Members of the Imperial Legislature during their terms of office and Privy Councillors."

MR. T. K. VELU PILLAI: May I know if this Legislative Council does not correspond to the Imperial Legislative Assembly in British India?

MR. W. H. PITT: I will come to that.

"The Committee by a majority do not recommend a similar concession to members of the Provincial Legislatures".

The remaining proposals are of minor importance.

There were two minutes of dissent. Mr. Bajpai would exempt.

(i) Members of Provincial Legislative Councils.

(ii) All Zemindars in Agra and Oudh and Heads of Joint Hindu families paying a land-tax of Rs. 3,000 or over.

(iii) Title holders who received certain distinctions after January 1920.

(iv) Magistrates, Honorary Assistant Collectors etc.

Mr. Mahomed Faiyaz Khan would exempt members of the Imperial Legislative Assembly for life instead of during their period of office.

So, it will be seen that this committee, which had a non-official majority of five, was unanimously opposed to any general extension of exemptions such as is now advocated by Mr. Kunjitomman and Mr. Kumara Pillai; and I would point out that the exemptions given in British India are more limited than those still granted in Travancore.

Now let us consider what it is that Mr. Kunjitomman wants. He would exempt the following classes of persons: —

(i) All persons living in mountainous places.

(ii) All persons who pay the State taxes to a total amount of Rs. 100 annually.

(iii) All past and present members of Municipal Councils, the Sri Mulam Popular Assembly and this House.

I will take these classes separately. In the old rules, certain hilly tracts were excluded from the operation of the Arms Regulation in respect of possession of arms and going armed. Under the new rules which came into force this year, all that has been withdrawn.

MR. G. PARAMESVARAN PILLAI: May I know why that was withdrawn? Was there ony reason?

MR. W. H. PITT: Merely for reducing exemption to the narrowest limit possible and putting all the subjects of His Highness the Maha Rajah on the same footing.

MR. K. P. RAMAN PILLAI: May I know whether there was any communication on the subject between the Government of Madras and this Government?

MR. W. H. PITT: I have not seen it.

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In the new rules, no tract has been exempted, but ample provision has been made for the destruction of wild animals dangerous to human beings and destructive to domesticated animals and crops. Under rule 27, a license may be granted free of cost for a period of three years to any person for the destruction of wild animals which do injury to human beings; and under rule 28, a free license may be granted for a period of three years at a time to *bona fiae* cultivators for the destruction of wild animals that do damage to crops or eat cattle.

MR. T. K. VELU PILLAI: How is it determined as to who is a *bona fide* applicant? Is it on the report of the Sub-Inspector of Police? On the recommendation of which officer is the free license given?

MR. W. H. PITT: It is not on reports from my department. It is, I think, decided by the Land Revenue Department.

PRESIDENT: Police officers are not generally consulted. The District Magistrate gives the license.

MR. T. K. VELU PILLAI: On whose recommendation?

PRESIDENT: He consults his subordinate officers, the Taluk Magistrates, and perhaps, sometimes, the Police also.

Mr. W. H. PITT: Not in all cases.

These rules (at any rate theoretically) meet all genuine requirements and at the same time leave in the hands of Government sufficient powers of control.

Mr. Kunjitomman has, I submit, overstated his case. It may be that ten years ago the pioneers who opened up the hilly tracts suffered severely from the depredations of wild animals; but, if so, the conditions must have changed since then. The first thing that strikes a stranger accustomed to the jungles of other parts of India is the remarkable dearth of wild animals in Travancore. I personally have seldom, if ever, seen forests so devoid of animal life; and in certain parts even the monkeys and squirrels have been all but exterminated.

The number of persons killed by wild animals is published each year by the Statistical Department. The average for ten years is 5·1. In 1097, it was 1 per 1,000,000 of the population, a mere fraction of those murdered by human beings. I have attempted to analyse the 28 cases of death by wild animals reported during the past five years but have been able to collect the details in only 19 cases. Of these 19 deaths, 16 were caused by captive elephants, 1 by a tiger, 1 by a bison, and 1 by a bear. Wild animals are not therefore a very serious menace to human life in Travancore; and for my own part, I do not anticipate any noticeable increase in deaths as the result of the withdrawal of exemptions, for it is the intention of Government that free licenses under rule 27 shall be liberally granted.

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[Mr. G. Parameswaran Pillai.]

MR. T. K. VELU PILLAI: May I know whether the Police Commissioner possesses statistics regarding the crops and cattle destroyed by wild animals?

MR. W. H. PITT: No.

With regard to the protection of crops, a large number of cultivators and others in Mr. Kunjitomman's constituency and elsewhere who were exempted last year were required to take out licenses this year. The delay in issuing these licenses was due partly to the fact that applications were not received in time, and partly to congestion of work. The circumstances were exceptional and will not recur. Government intends that free licenses under rule 28 shall be granted to cultivators; and their interests have been sufficiently well guarded by this provision.

PRESIDENT: Will you please speak louder? Apparently, you are not being heard.

MR. W. H. PITT: Well, that is all I have got to say in regard to persons living in hilly tracts.

The next class of persons for whom Mr. Kunjitomman wants exemption is those persons who pay the State a tax of Rs. 100 per annum or over, that is to say well-to-do people. Here, I think I am on safe ground. I do not think that Mr. Kunjitomman will have a majority on his side in this Council.

MR. T. K. VELU PILLAI: What possible objection can there be to those people in the hilly tracts carrying fire-arms?

MR. W. H. PITT: There is no objection to such persons carrying fire-arms. The only objection is that, while one class of persons has to take out licenses, the other class need not.

MR. T. K. VELU PILLAI: In consideration of the particular difficulty that they experience in hilly tracts, could not exemption be made in their case?

MR. W. H. PITT: There is no need for exemption. They obtain free licenses now. Government intend to adopt the necessary measures to see that they get without delay the licenses that they require.

MR. K. P. RAMAN PILLAI: May I know if this is Mr. Pitt's private opinion or the reason of Government, *i. e.*, that all people should be put on the same footing in regard to this?

MR. W. H. PITT: This is not my private opinion; but this is the reason that actuated the Government in framing the new rules.

MR. T. K. VELU PILLAI: How many free licenses were issued in 1098?

MR. W. H. PITT: I have no information.

MR. G. PARAMESVARAN PILLAI: Does not Mr. Pitt realise that it is really hard that persons living in hilly tracts should be put to difficulties owing to the delay in obtaining licenses through no fault of their own?

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MR. W. H. PITT: It is unfortunate. There was some delay in the publication of the rules. Therefore, some persons did not get their licenses in time this year.

MR. K. P. RAMAN PILLAI: What is the objection to give free licenses to everybody?

MR. W. H. PITT: That is a matter which is beyond the scope of the resolution.

The third class contains all members, past and present, of Municipal Councils, the Sri Mulam Popular Assembly and the Legislative Council.

Were this portion of the resolution to be accepted as it stands, the number of exemptees would increase from year to year and it would be difficult to refuse exemptions to other classes, such as, for instance, the gazetted officers of Government. So that, gradually, the list of exempted persons would be as long as it was before and all the old class distinctions which have now been removed would be restored.

Mr. Kunjitomman's speech reveals not so much imperfection in the rules as they stand as abuses in putting them into effect. Government are considering the adoption of several remedies. One suggestion is that a license, issued in the first instance by a District Magistrate, might be renewed for subsequent periods by any Magistrate. To reduce further the delay in the issue of licenses and the inconvenience and annoyance caused by enquiries as to the status and character of applicants—often no doubt most objectionable—Government intend to draw up a list of categories of persons to whom licenses should ordinarily be granted at once for the mere asking. District Magistrates will also be instructed to keep in their offices a list of persons included in each of these categories so that persons entitled under the rules to a license may receive it promptly. Orders will be issued for the despatch of licenses by anchal if the applicants desire it.

Beyond this, Government do not wish to commit themselves at this juncture, because the Indian Arms Rules Committee has recommended that the "Government of India should endeavour to secure reciprocal arrangement with any State which can satisfy the Government of India that they have properly administered Arms Rules". The advantages of reciprocity would be considerable. Such an arrangement exists now between Travancore and British India with regard to the registration of motor vehicles. Our rules, as they stand now, must be well-nigh perfect in the eyes of the Government of India and it would not be wise to jeopardise our chances of participation by altering them at this stage.

RAO BAHADUR K. A. KRISHNA AIYANGAR: Are the Travancore Government under any obligation to conform to the rules which the Government of India have made?

MR. W. H. PITT: I have just said that the Government of India are endeavouring to make recognised arrangements with the Indian States.

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[Mr. K. P. Raman Pillai.]

PRESIDENT: I would say a few words in regard to that, if you want, towards the close of the discussion.

MR. N. PADMANABHA PILLAI: Were the non-official members, who were members of the Arms Rules Committee, elected or nominated members?

MR. W. H. PITT: I believe they were elected members.

MR. G. PARAMESVARAN PILLAI: Were there representatives of Indian States on that committee?

PRESIDENT: If the House does not object, I can explain the matter.

MR. G. PARAMESVARAN PILLAI: The member has exceeded his time-limit.

PRESIDENT: He has just had his twenty minutes. Have you done, Mr. Pitt?

MR. W. H. PITT: Therefore, although Government consider that it is a retrograde step and out of keeping with the spirit of the times to increase the number of exempted persons, they accept the position that the practical working of the rules is capable of improvement and intend to adopt the necessary remedies.

MR. K. P. RAMAN PILLAI: I would speak just a word with particular reference to the portion of the resolution which refers to persons living in mountainous areas and which is supported on the ground that by the deprivation of licenses such persons have been put to a lot of trouble owing to inroads of wild animals. But I would support the resolution on a wider and on more sacred grounds than those that have been urged up till now before this Council. I consider that it ought to be the privilege of every citizen in the State to be enabled to possess arms. Such being the case, I consider it an infringement of the right of citizenship that he should be deprived of that right, without any consultation being made and without any reasonable cause having been advanced.

Mr. Pitt has told us—even without his assuring me I would have known it—that it was not his private opinion that he expressed when he said that the object of amending the existing rules was to put all people on the same footing to avoid invidious distinctions. But if, in order to avoid invidious distinctions, the privilege given to some people were to be taken away it would leave the impression that the Government proceed on the assumption that free licenses need not be given to all people on the same footing. They might well have resolved to give free licenses to all people whom they consider respectable; so that the reason assigned seems to be quite unacceptable and I do not think it would be put forward seriously by any responsible person except in a place where one has to put up a defence. Mr. Pitt, on behalf of Government, might well know that these distinctions are bound to exist in all ages and in all countries. These distinctions, on account of

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social rank and possession of varying degrees of wealth, exist all over the world. That accounts for different privileges being enjoyed by different persons. Mr. Pitt was telling us that there was paucity of wild animals in this land; and so far as his statistics went there was loss of only five lives during the past five years. That is very easily quoted by way of meeting an objection. Personally, I should consider the life of one solitary subject of His Highness the Maha Raja more valuable than the evils supposed to arise out of granting free licenses to all persons who inhabit mountainous areas. He evidently seems to think that the loss of five men, one per year, is after all nothing when compared to the necessity of putting all people on the same footing. I would therefore support the resolution in its entirety.

The members of Municipal Councils and the Popular Assembly have also been enjoying this right and there is no justification for depriving them of it. No doubt, Mr. Pitt tells us that the Arms Rules Committe recommended that the British Indian Government should consult the Indian States so as to bring up their rules in conformity with the British Indian rules. I submit that there is absolutely no justification for our enacting their rule. There, the conditions are peculiar. We are not blind to what is going on there on account of the non-co-operation movement etc.

MR. W. H. PITT: The Government of India will take steps to make suitable arrangements as regards the Indian States, so that, if we do not issue licenses or if we carry arms in British India, we should get license there.

MR. K. P. RAMAN PILLAI: We are not particular about carrying arms into British India. Those of us who wish to do so may apply for and get separate licenses from the authorities in British India, or we shall forgo the privilege there. My point is that, so far as we are concerned, we possess certain rights within the State; and no case has been made out to deprive us of that right.

MR. T. K. VELU PILLAI: I should like to know if the member is aware that a very important officer had to encounter a bear and that, because of his great courage, he got out of the clutches of the bear.

PRESIDENT: That does not arise out of the subject.

MR. T. K. VELU PILLAI: Yes, it arises; I will be able to satisfy the House that it arises.

MR. K. P. RAMAN PILLAI: I do not quite recollect. I do not base my case on the attack of a wild animal. I myself have suffered from the attacks of wild animals and I can give many such personal instances. Mr. Pitt mentioned the paucity of wild animals in our forests. Had he not been unfortunately a day too late, I would have directed him to a tiger devouring cattle in mine and the adjoining paddy lands. However, I base my support of the resolution on a different ground *viz.*, that of our having been deprived for no fault of ours of a right which we had all along been enjoying. If statistics are taken, it would be seen that the

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[President.]

ears that are entertained in British India do not exist in any degree in this country. Nor is it likely to assume that proportion which would frighten anybody in British India. I therefore support the resolution in its entirety.

MR. G. PARAMESVARAN PILLAI: I move for a closure.

MR. K. PARAMESVARAN PILLAI: I second it.

The motion for closure was carried.

MR. TARIATU KUNJITOMMAN: പ്രമേയം വോട്ടിന് ഇടുന്നതിനുള്ള സമയം ആയിരിക്കുന്നതിനാൽ ഞാൻ ദീർഘമായി പറഞ്ഞു സമയം കളയുന്നില്ല. രാജഭക്തന്മാരും നിയമാനുസരണശീലന്മാരും രാജദ്രോഹത്തെ പോഷിപ്പിക്കുന്നതിനും ജനങ്ങളുടെ ക്ഷാമത്തെ നിവൃത്തി വരുത്തുന്നതിനും ഉതകുന്ന കൃഷിയിൽ നിരന്തരം പ്രവർത്തിച്ചു കൊണ്ടിരിക്കുന്നവരും ആയ മലയോരത്തെ കൃഷിക്കാരുടെ നേർക്ക് ഒരു കൌൺസിലിലെ രണ്ടു ഭാഗത്തുമുള്ള മാനപ്പെമ്പറന്മാർ തങ്ങളുടെ മനോദ്ദിഷ്ടികളെ സാല്പനേരത്തേക്കു പതിക്കണമെന്നും നമ്മുടെ സഹോദരന്മാരായ അവർ അനുഭവിക്കുന്ന കഷ്ടതകളേയും സങ്കടങ്ങളേയും പറഞ്ഞിരിക്കണമെന്നും ഞാൻ അപേക്ഷിച്ചു കൊള്ളുന്നു. അവർ ഗവർൺമെൻറിലും ഈ പ്രതിനിധിസഭയിലും വിശ്വസിച്ചും നാം അവരുടെ കഷ്ടതയുടെ നിവൃത്തി ഉണ്ടാക്കുമെന്നു പ്രതീക്ഷിച്ചും ഇരിക്കയാണെന്നും ഓർക്കേണ്ടതാണ്. പ്രതിവത്സരം കഷ്ടപ്പെട്ടു കൃഷിചെയ്താൽ അവസാനം കടം മാത്രം ശേഷിക്കുന്നവരാണ് അവരിൽ പലരും. ആണ്ടവസാനത്തിൽ അടുത്ത വർഷത്തെ കൃഷിക്കു രണ്ടേർ കാളവാങ്ങുവാൻ പോലും കടം കൂടാതെ കഴിവുള്ളവർ ചുരുക്കമാണ്. അവരുടെ കന്നുകാലികളെ കടുവായും, വിളവുകളെ മറുകാട്ടുജന്തുക്കളും നശിപ്പിക്കുന്നതിനേയും, ഇവരുടെ വെടി ആയുധങ്ങൾ പോലീസുസ്റ്റേഷനുകളിൽ ഇരിക്കുന്നതിനാൽ നിരായുധന്മാരായി കാട്ടുജന്തുക്കളോട് എതിർത്തു പരാജയമടയുന്നതിനെയും അവരുടെ ഇടയിൽ വസിക്കുന്ന എനിക്കു ഗൽഗദം കൂടാതെ വിവരിക്കുവാൻ സാദ്ധ്യമല്ല. ഇവർ വെടിആയുധങ്ങൾ ഒരുപയോഗം ചെയ്യുമെന്നു വിചാരിക്കുവാനേ വഴിയില്ല.

PRESIDENT: I should like to say a few words before putting the motion to the vote. Mr. K. P. Raman Pillai has, I think, misunderstood the policy of the Government in regard to this matter. There is one important consideration which Mr. Pitt did not mention in the course of his speech and which led to the alteration of the Arms Rules. I do not think that, if the matter is considered carefully, it can be said with

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any justification that any privileges enjoyed by the people of Travancore in the matter of possessing or carrying arms have in any way been curtailed or restricted. All that has been sought to be done is to see that provision is made for the Government having a record of arms which exist and which are possessed and used in the country. It is true that, under the old rules, there were certain tracts of the country—hilly tracts—in respect of which no record of these arms had to be kept, in so far as no licenses were required to be taken; and it is true that, by the present arrangement of requiring people in hilly tracts to take out licenses, a certain amount of hardship is likely to be felt in the beginning. But, when the rules are worked smoothly, the hardships are bound to disappear. As Mr. Pitt said, the Government are considering various measures whereby these licenses may be issued automatically, with the least amount of trouble to the people concerned. But the principle underlying the whole matter is that the Government should possess correct information of the number, description and variety of all the arms that exist in this country. The members of this House would, I am sure, grant that such information is very important in the larger interests of administration. We must also remember that, in regard to the arms which either exist in the country or which are possessed and used by the people, it is not a matter in which we can stand isolated. We are not in an island. There are adjacent tracts, adjacent states and countries and I think that we have a moral responsibility for seeing that our country does not possess or shelter arms of an objectionable character or does not possess arms which, without the Government knowing it, may be smuggled into the adjoining countries. It is a responsibility which we owe to countries which adjoin our State, and the object is simply to see that a correct record of the arms is kept. There is no restriction placed on people possessing fire-arms. Every possible effort will be made to make it easy for people to possess fire-arms. Instructions in the matter will issue and effect will be given to them as soon as possible. No application for license will be referred to the subordinate officers of the Police Department. Where the District Magistrates or the Divisional Magistrates know the people, they will issue licenses very soon; and executive orders will also issue for the purpose of seeing that the least amount of delay is caused in the grant of licenses.

As regards people who want to protect their crops and cattle, they may be given free licenses. As regards the treatment of other classes of persons, such as the members of the Assembly, etc., I must admit that we are not very logical. The Government were proceeding on a historical basis. The principle underlying the rules is the abolition of race and caste distinctions as far as possible in the matter of the grant of licenses. As far as I know, there is no civilised administration which does not attempt to possess a knowledge of the arms possessed and used in the country. It is solely with that view that the rules are altered. I may give this assurance, on behalf of the Government, that every endeavour will be made to remove all possible hardships. It might be possible to make changes in the rules in future. But just now the Government

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[President.]

have no time to take up that question. With these words, I shall now put the resolution to the vote, if Mr. Kunjitomman insists upon it.

Mr. Kunjitomman pressing, the resolution was put to the vote and declared carried, 27 voting *for* and 16 *against*.

PRESIDENT: Gentlemen, we will now adjourn and meet again at half past eleven to-morrow.

The Council adjourned at 5-5 P. M.

S. PARAMESVARA AIYAR,
Secretary to the Legislative Council.

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